

09/530935
09 MAR 2000

422 PCT/PTO

Docket No. 3927-4133US2

IN THE UNITED STATES

- RECEIVING OFFICE (RO/US)**
 DESIGNATED OFFICE (DO/US)
 ELECTED OFFICE (EO/US)

INTERNATIONAL APPLICATION NO. <u>PCT/US99/08294</u>	INTERNATIONAL FILING DATE <u>15 APRIL 1999 (15.04.99)</u>	PRIORITY DATE CLAIMED <u>15 APRIL 1998 (15.04.98)</u>
TITLE OF INVENTION <u>SPECIFIC REPRESSION OF ADENOVIRUS PACKAGING</u>		
APPLICANT(S) <u>THE RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK</u>		

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: PCT Legal Affairs

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE
(INTERNATIONAL APPLICATION (37 CFR 1.10(c)))**

I declare that on March 9, 2000 deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EJ604724920US addressed to the "Assistant Commissioner for Patents, BOX PCT, Washington, D.C. 20231" and having an express mail certification which I executed, the following papers:

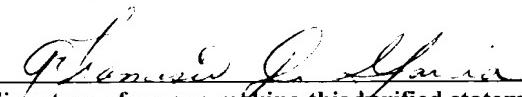
- 1.- Petition Under 37 C.F.R. 1.137(b) to Revive Unintentionally Abandoned Application with check in the amount of \$1,210;
- 2.- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 with check in the amount of \$1,310.00;
- 3.- Copy of the first page of published International Application No. WO 99/53085;
- 4.- Copy of Response to Invitation to Furnish Nucleotide and/or Amino Acid Sequence Listing Complying with WIPO Standard ST.25;
- 5.- Copy of the International Search Report;
- 6.- Executed Combined Declaration and Power of Attorney; and
- 7.- Return Postcard.

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Francisco J. Garcia
(Typed or printed name of person making this verified statement)

Date: March 9, 2000


(Signature of person making this verified statement)

FORM PTO-1390
(REV. 10-96)

U.S. GOVERNMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

3927-4133US2

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
09/530935

INTERNATIONAL APPLICATION NO. PCT/US99/08294	INTERNATIONAL FILING DATE 15 April 1999 (15.04.99)	PRIORITY DATE CLAIMED 15 April 1998 (15.04.98)
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TITLE OF INVENTION **SELECTIVE REGULATION OF ADENOVIRUS PRODUCTION****APPLICANT(S) FOR DO/EO/US**

Patrick HEARING; Susanne I. SCHMID; Philomena H. OSTAPCHUK and Ece ERTURK

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information:
 - Copy of the first page of published International Application No. WO 99/53085
 - Copy of a Response to Invitation to Furnish Nucleotide and/or Amino Acid Sequence Listing Complying with WIPO Standard ST.25
 - Copy of the International Search Report

09/530935

INTERNATIONAL APPLICATION
PCT/US99/08294ATTORNEY/EXAMINER NUMBER
3927-4133US217 The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Search Report has been prepared by the EPO or JPO \$840.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
\$670.00No international preliminary examination fee paid to USPTO (37 CFR 1.482)
but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00Neither international preliminary examination fee (37 CFR 1.482) nor
international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e))

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	23 - 20 =	3	X\$18.00	\$ 54.00
Independent claims	5 - 3 =	2	X\$78.00	\$ 156.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$260.00	\$ 260.00
TOTAL OF ABOVE CALCULATIONS =				\$ 1,310.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$
SUBTOTAL =				\$
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$
TOTAL NATIONAL FEE =				\$ 1,310.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$
TOTAL FEES ENCLOSED =				\$ 1,310.00
				Amount to be: refunded \$
				charged \$

a. A check in the amount of \$ 1,310.00 to cover the above fees is enclosed.b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500. A duplicate copy of this sheet is enclosed.

Order No. 3927-4133US2

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO

Dorothy R. Auth
 Morgan & Finnegan, L.L.P.
 345 Park Avenue
 New York, New York 10154
 Telephone NO. (212) 758-4800
 Facsimile No. (212) 751-6849

Dorothy R. Auth

NAME

36,434

REGISTRATION NUMBER